

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JAMES KEVIN STATEN,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-08-0655-F
)	
DAVID PARKER (WARDEN),)	
)	
Respondent.)	

ORDER


This action seeks habeas relief under 28 U.S.C. § 2254. Petitioner appears *pro se* and his pleadings are liberally construed.

Magistrate Judge Robert E. Bacharach entered his Report and Recommendation in this matter on February 3, 2009, recommending that the petition be denied. (Doc. no. 21.) Petitioner filed a timely objection to the Report, objecting to the magistrate judge's recommended findings and conclusions. (Doc. no. 22.) Accordingly, the court reviews all objected to issues *de novo*.

After careful study of petitioner's objections, the Report, the record, and the relevant legal authorities, the court finds and concludes that it concurs with the magistrate judge's determinations. The court further finds that no purpose would be served by repeating the magistrate judge's determinations or by presenting any additional analysis here.

Accordingly, the Report and Recommendation of Magistrate Judge Bacharach is **ACCEPTED, ADOPTED, and AFFIRMED** in its entirety. The Petition for a Writ of Habeas Corpus is **DENIED** for the reasons stated in the Report.

Dated this 2nd day of March, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE